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Vice President of Council

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Clerk of Council

City of Willoughby Hills

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ORDINANCE NO. 2009-77

AN ORDINANCE AMENDING PART ELEVEN – PLANNING AND ZONING CODE, TITLE ELEVEN – SUPPLEMENTAL DEVELOPMENT STANDARDS, CHAPTER 1169 – FLOOD HAZARD PRECAUTIONS, SECTION 1169.03 – APPLICATION, COMPLIANCE, AND PENALTY, SUB-SECTION (b) – BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

WHEREAS, The National Flood Insurance Program (NFIP) established a federally backed flood insurance program and flood damage reduction regulations in 1968; and

WHEREAS, Communities participating in the NFIP must adopt certain land use regulations for identified floodplain areas to make flood insurance from the federal government available to their residents; and

WHEREAS, these regulations establish minimum flood protection standards for buildings and other types of development in identified floodplains; and

WHEREAS, these minimum standards require structures to be flood proofed or elevated above base flood elevations, anchoring of structures, and prohibit fill in floodways unless a property owner can verify that the base flood elevations will not be increased; and

WHEREAS, in 2006 Ohio Department of Natural Resources' (ODNR) Model Flood Damage Reduction Regulations were revised, and they were approved by the Federal Emergency Management Agency for adoption and implementation in participating NFIP communities; and

WHEREAS, Communities must have up to date flood damage reduction regulations to participate in the NFIP; and

WHEREAS, because floodplain maps are currently being updated in Ohio, the new "Effective Date" for communities' floodplain maps must be revised in their flood damage reduction regulations; and

WHEREAS, communities have six months from the effective date of their updated map to revise their regulations; and

WHEREAS, to maintain compliance with minimum NFIP requirements the community of Willoughby Hills must amend **Section 1169.03 – Application, Compliance and Penalty, Sub-section (b) – Basis for Establishing Areas of Special Flood Hazard.**

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The existing **Section 1169.03 – Application, Compliance, and Penalty, Sub-Section (b) – Basis for Establishing Areas of Special Flood Hazard Subsection** of the Codified Ordinances of the City of Willoughby Hills, be, and the same hereby is, amended to read and provide in its entirety as follows:

"1169.03 APPLICATION, COMPLIANCE AND PENALTY.

(b) The areas of special flood hazard have been identified by FEMA in a scientific and engineering study entitled "***Flood Insurance Study Lake County, Ohio and Incorporated Areas***" effective February 3, 2010. This study, with accompanying "***Flood Insurance Rate Map Lake County, Ohio and Incorporated Areas***" effective February 3, 2010 and any revisions thereto is hereby adopted by reference and declared to be part of this Chapter. The Flood Insurance Study is on file at the City of Willoughby Hills, 35405 Chardon Road, Willoughby Hills, Ohio."

SECTION 2. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

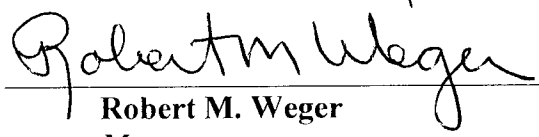
SECTION 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it further provides for the usual daily operation of a Municipal Department, to wit: to maintain compliance with the minimum NFIP requirements; wherefore, this Ordinance shall be in full force and effect upon and after its passage and approval by the Mayor.

PASSED: October 22, 2009

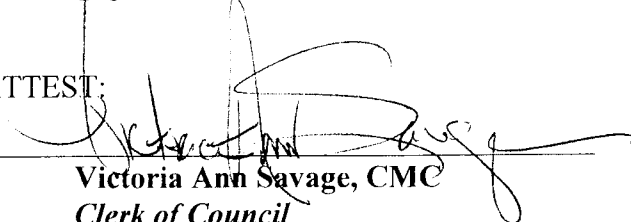

David A. Reichelt
President of Council, Pro-tem

Submitted to the Mayor for his approval
on this 22 day of October, 2009

Approved by the Mayor

October 22, 2009

Robert M. Weger
Mayor

ATTEST:


Victoria Ann Savage, CMC
Clerk of Council

ORDINANCE NO. 2009-77

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing Ordinance No. 2009-77 was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on October 22, 2009.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No. 2003-19 in the Lake County News-Herald on October 28, 2009. Effective date of Legislation: October 22, 2009.


Victoria Ann Savage, CMC
Clerk of Council